

Serial No.: 10/550,070
Examiner: Benjamin M. Kurtz
Reply to Office Action Mailed November 28, 2008 and Advisory Action Mailed March 3, 2009
Page 7 of 9

REMARKS

Reconsideration is requested in view of the above amendments and the following remarks. Applicants appreciate the courtesy shown by the Examiner in discussing this case with the Applicants' representative R. Christine Yang on April 27, 2009. The revisions to claim 1 were discussed in the interview. The Examiner indicated that the feature of "a plurality of holding ribs extending partially and inwardly from a wall of the filter retaining portion without crossing the filter retaining portion" was not seen in the cited references. The discussions of the interview are reflected in the above amendments and the following remarks.

Claim 1 has been revised. Support for the revisions can be found in, e.g., Fig. 4B, among other places. Claims 1-16 remain pending in the application. Claims 14-16 have been withdrawn. Applicants note that the Office Action Summary Sheet lists only claims 1-13, rather than claims 1-16, as pending.

Claims 1-13 are rejected under 35 USC § 103(a) as being unpatentable over Esmond (US 3,827,562). Applicants respectfully traverse this rejection.

Claim 1 requires a plurality of holding ribs that extend partially and inwardly from a wall of the filter retaining portion without crossing the filter retaining portion. In one example as shown in Fig. 4B, a blood filter device 1 includes a plurality of holding ribs 10 that extend partially and inwardly from a wall 3a of a filter retaining portion 3 (see, e.g., page 14, lines 8-13 of the present specification, among other places) without crossing the filter retaining portion 3. The plurality of holding ribs help maintain the pleats of the filter in place without obstructing air bubbles from being released from a filter surface and without causing additional resistance to a blood flow, which may as a result cause an additional loss of a blood flow pressure (see, e.g., page 9, lines 7-10 of the present specification, among other places).

Esmond fails to teach or suggest the holding ribs that extend partially and inwardly from a wall of a filter retaining portion without crossing the filter retaining portion, as required by claim 1. In fact, Esmond discusses a filter device 60 that includes a filter element 65 formed of an elongated strip of filter cloth 66 with a support 67 in the

Serial No.: 10/550,070
Examiner: Benjamin M. Kurtz
Reply to Office Action Mailed November 28, 2008 and Advisory Action Mailed March 3, 2009
Page 8 of 9

form of a coarse mesh being formed within each of pleats of the filter cloth 66 (see Esmond, Figs. 8-10), with each support 67 clearly extending across the filter device 60 (see Esmond, Figs. 8 and 9). Nowhere does Esmond teach or suggest a plurality of holding ribs that extend partially from a wall of a filter retaining portion without crossing the filter retaining portion, as required by claim 1.

For at least these reasons, claim 1 is patentable over Esmond. Claims 2-13 depend ultimately from claim 1 and are patentable along with claim 1 and need not be separately distinguished at this time. Applicants are not conceding the relevance of the rejection to the remaining features of the rejected claims.

Claims 1-13 are rejected under 35 USC § 103(a) as being unpatentable over Graus (US 6,143,174), Haworth et al. (US 5,651,765) and Esmond (US 3,827,562). Applicants respectfully traverse this rejection.

Claim 1 is patentable over Graus, Haworth et al. and Esmond for at least the reasons similar to those discussed above. Claim 1 requires a plurality of holding ribs that extend partially and inwardly from a wall of a filter retaining portion without crossing the filter retaining portion. Claim 1 further requires that the plurality of holding ribs be provided at positions corresponding to end portions of respective pleats, whereby the holding ribs are inserted in the end portions of the pleats, respectively.

The plurality of holding ribs help maintain the pleats of the filter in place without obstructing air bubbles from being released from a filter surface and without causing additional resistance to a blood flow, which may as a result cause an additional loss of a blood flow pressure (see, e.g., page 9, lines 7-10 of the present specification, among other places).

Graus fails to teach or suggest a plurality of holding ribs that extend partially and inwardly from a wall of a filter retaining portion as required by claim 1. Instead, Graus merely discuss spacers positioned between pleat folds of a filter element, where the spacers on an inflow side of the filter element have a wider mesh or coarser pores than those on an outflow side (see Graus, col. 2, lines 45-52). Graus is completely silent as to

Serial No.: 10/550,070
Examiner: Benjamin M. Kurtz
Reply to Office Action Mailed November 28, 2008 and Advisory Action Mailed March 3, 2009
Page 9 of 9

a plurality of holding ribs that extend partially from a wall of a filter retaining portion without crossing the filter retaining portion as required by claim 1.

Nor do Graus teach or suggest that the plurality of holding ribs are provided at positions corresponding to end portions of respective pleats, whereby the holding ribs are inserted in the end portions of the pleats, respectively, as required by claim 1. Instead, Fig. 1 and col. 3, lines 18-32 of Graus merely discuss that peripheral edges 12 of pleated filter element 2 are adjacent cylindrical housing walls 13 and 13', and are joined to the walls in fluid-tight fashion by means of sealing compound 14. Graus is completely silent as to a plurality of holding ribs that are provided at positions corresponding to end portions of respective pleats, whereby the holding ribs are inserted in the end portions of the pleats, respectively, as required by claim 1.

Haworth et al. and Esmond do not remedy the deficiencies of Graus. For at least these reasons, claim 1 is patentable over Graus, Haworth et al. and Esmond. Claims 2-13 depend ultimately from claim 1 and are patentable along with claim 1 and need not be separately distinguished at this time. Applicants are not conceding the relevance of the references to the remaining features of the rejected claims.

In view of the above, favorable reconsideration in the form of a notice of allowance is respectfully requested. Any questions regarding this communication can be directed to the undersigned attorney, James A. Larson, Reg. No. 40,443, at (612) 455-3805.



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